

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 1, 2003**

- E032425      People v. Jose German Zavala      Opinion**  
Judgment affirmed.  
King, J.  
We concur: Hollenhorst, Acting P.J., Ward, J.
- E033492      Leonard L. Harrison IV, a Minor, etc. v. Wildomar Little League et al.      Opinion**  
Judgment affirmed.  
Ramirez, P.J.  
We concur: Hollenhorst, J., Ward, J.
- E034204      Michael J. v. Superior Court; Department of Children's Service      Opinion**  
Petition denied.  
Richli, J.  
We concur: Ramirez, P.J., McKinster, J.
- E033663      People v. Daniel Dean Bishop      Opinion**  
Judgment affirmed with directions.  
Ramirez, P.J.  
We concur: McKinster, J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 2, 2003**

**E033065      People v. Eric Bruce Weston**

**Opinion**

Judgment affirmed with directions.

King, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E033145      People v. Martin Armando Villa**

**Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., McKinster, J.

**E030778\*      People v. Michelle Lynn Jennings**

**Opinion**

Judgment affirmed.

McKinster, Acting P.J.

We concur: Gaut, J., King, J.

\*CERTIFIED FOR PARTIAL PUBLICATION

**E032562      People v. Edward Charles Samuel et al.**

**Opinion**

Judgment affirmed.

**E033975\*      In re Edward Charles Samuel on Habeas Corpus**

Petition denied.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

\*Considered with appeal.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 3, 2003**

- E033725      In re Karena N., a Person Coming Under the Juvenile Court Law  
Department of Public Social Services v. Georgena N.      Opinion**  
Judgment affirmed.  
Hollenhorst, J.  
We concur: Ramirez, P.J., Ward, J.
- E031966      Golden Eagle Insurance Company v. Century Surety Company      Opinion**  
Judgment reversed and remanded.  
McKinster, Acting P.J.  
We concur: Richli, J., King, J.
- E033509      People v. Verdell James Trueheart      Opinion**  
Judgment affirmed.  
Ramirez, P.J.  
We concur: McKinster, J., Richli, J.
- E032096      People v. Raymond Peter Davila      Opinion**  
Judgment affirmed.  
Gaut, J.  
We concur: Ward, Acting P.J., King, J.
- E032765      Joan B. Fitzsimons v. John P. McDowell et al.**  
Petition for rehearing granted, supplemental briefing ordered.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 6, 2003**

No Minutes for October 6, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 7, 2003**

Court convened at 9:00am

Panel 1

Present:

McKinster, Acting P.J.

Gaut, J.

King, J.

Kelly Conn, Deputy Clerk

**E031343      People v. Jesse David Douglas et al.**

Merits. Cause called and Patrick J. Hennessey, Esq., argued for appellant Travis George Miskam; John T. Swan, Deputy Attorney General, argued for respondent; No appearance for appellant Jesse David Douglas. Cause submitted.

Court recessed.

Court reconvened.

Panel 1b

Present:

Ramirez, P.J.

Hollenhorst, J.

Gaut, J.

Kelly Conn, Deputy Clerk

**E031058      People v. Harold W. Richardson**

Merits. Cause called and Carl Fabian, Esq., argued for appellant; Lynne G. McGinnis, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1c  
Present:  
Ramirez, P.J.  
Hollenhorst, J.  
Richli, J.  
Kelly Conn, Deputy Clerk

**E032485 Indian Springs Mobilehome Park HOA v City of Palm Desert et al.**

Merits. Cause called and Douglas S. Phillips, Esq., argued for appellants City of Palm Desert et al.; David Spangenberg, Esq., argued for appellants Indian Springs, Limited et al.; Toni Eggebraaten, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 1d  
Present:  
Ramirez, P.J.  
Richli, J.  
Gaut, J.  
Kelly Conn, Deputy Clerk

**E031658 People v. Felix Estuardo Maquiz**

Merits. Cause called and Michael S. Sideman, Esq., argued for appellant; Kristine A. Gutierrez, Deputy Attorney General, argued for respondent. Cause submitted.

**E032438 People v. David Ibarra**

Merits. Cause called and Harry Zimmerman, Esq., argued for appellant; Deana L. Bohenek, Deputy Attorney General, argued for respondent. Cause submitted.

**E031403 People v. Kevin Campbell**

Merits. Cause called and Chris Truax, Esq., argued for appellant; John T. Swan, Deputy Attorney General, argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 2  
 Present:  
 Hollenhorst, Acting P.J.  
 Richli, J.  
 Ward, J.  
 Elizabeth Ceballos, Deputy Clerk

**E031344      People v. George Flores et al.**

Merits. Cause called and John L. Dodd, Esq., argued for appellant George Flores; Marilee Marshall, Esq., argued for appellant Joe Lorenzo Moreno; Peter Quon, Jr., Deputy Attorney General, argued for respondent. Cause submitted.

**E032545      People v. Carlos Sanchez**

Merits. Cause called and Patrick J. Hennessey, Esq., argued for appellant; Peter Quon, Jr., Deputy Attorney General, argued for respondent. Cause submitted.

**E033208      Wal-Mart Stores, Inc. et al. v. WCAB; Velta Elaine Garcia**

Merits. Cause called and Christopher P. Stettler, Esq., argued for petitioners; Marsha Ciniello, Esq., argued for respondent; Ellen Sims Langille, Esq., argued for amicus curiae California Worker's Compensation Institute. David Bryan Leonard, Esq., argued for amicus curiae California Society of Industrial Medicine & Surgery et al. Cause submitted.

Court recessed.

Court reconvened.

Panel 2a  
 Present:  
 Hollenhorst, Acting P.J.  
 McKinster, J.  
 Ward, J.  
 Elizabeth Ceballos, Deputy Clerk

**E032547      In re Daniel C., a Person Coming Under the Juvenile Court Law.  
                   People v. Daniel C.**

Merits. Cause called and Michael J. Kennedy, Deputy Public Defender, argued for appellant; Heather F. Wells, Deputy Attorney General, argued for respondent. Cause submitted.

**E031197      People v. Edward S. Tolbert**

Merits. Cause called and John L. Dodd, Esq., argued for appellant; A. Natasha Cortina, Deputy Attorney General, argued for respondent. Cause submitted.

**E032245      People v. Russell James McAllister**

Merits. Cause called and Cynthia M. Sorman, Esq., argued for appellant; Jonathan J. Lynn, Deputy Attorney General, argued for respondent. Cause submitted.

Court adjourned.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 8, 2003**

Court convened at 9:00am

Panel 3

Present:

Ramirez, P.J.

Hollenhorst, J.

Gaut, J.

Yolanda Burns, Deputy Clerk

**E031260      Inland Primary Care Medical Group v. Primecare International et al.**

Merits. Cause called and Don A. Hernandez, Esq., argued for Inland Primary Care Medical Group, Inc.; James T. Grant, Esq., argued for Primecare International, Inc. et al. Cause submitted.

**E032843      OSCA Development Company v. Ronald W. Blehm et al.**

Merits. Cause called and Simon Freedman, Esq., argued for appellant; Michael Zitomer, Esq., argued for respondent. John F. Sheehy argued as amicus curiae for respondent. Cause submitted.

**E032878      In re the Marriage of and Pat and Garland Petty  
Pat Petty v. Garland Petty**

Merits. Cause called and Scot D. Stirling, Esq., argued for appellant; C. Scott Rudibaugh, Esq., argued for respondent. Cause submitted.

**E032492      In re the Marriage of and Kathleen and Dezi Balint  
Kathleen Balint v. Dezi Balint**

Merits. Cause called and Daniel W. Rinaldelli, Esq., argued for appellant; Christopher R. Abernathy, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened at 1:30pm

Panel 4  
 Present:  
 McKinster, Acting P.J.  
 Richli, J.  
 Gaut, J.  
 Kelly Conn, Deputy Clerk

**E031229      Charlinda Dunn et al v. Silver Lakes Association**

Merits. Cause called and Peter E. Racobs, Esq., argued for appellant; Daniel A. Nassie, Esq., argued for respondent. Cause submitted.

Court recessed.

Court reconvened.

Panel 4b  
 Present:  
 McKinster, Acting P.J.  
 Richli, J.  
 Ward, J.  
 Kelly Conn, Deputy Clerk

**E032525      Hossain Sahlolbei v.Providence Healthcare, Inc. et al.**

Merits. Cause called and Henry R. Fenton, Esq., argued for appellant; Abbie P. Maliniak, Esq., argued for respondent. Cause submitted.

**E032176      City of Corona v. State of California Department of Transportation**

Merits. Cause called and Mark D. Servino, Esq., argued for appellant; Christopher Welsh, Esq., argued for respondent. Cause submitted.

Court adjourned.

**E034022      Maria M. v. The Superior Court of the County of San Bernardino;  
 Department of Children's Services      Opinion**

Petition denied.  
 McKinster, Acting P.J.  
 We concur: Gaut, J., King, J.

**E033135      People v. Janai Kira Hasan****Opinion**

Judgment affirmed with directions.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.

**E031426\*      The People v. American Contractors Indemnity Company****Opinion**

Judgment affirmed.

King, J.

We concur: Richli, Acting P.J., Gaut, J.

\*CERTIFIED FOR PUBLICATION.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 9, 2003**

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|----------------|---|----------------|
| <b>E032343</b> | <b>People v. Joseph Duron et al.</b>  | <b>Opinion</b> |
|                | Judgment affirmed in part, reverse in part, and remanded with directions.<br>McKinster, J.<br>We concur: Hollenhorst, Acting P.J., Gaut, J. |                |
| <br>           |   |                |
| <b>E032080</b> | <b>Roger Wolfe v. Union Pacific Railroad Company</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>McKinster, J.<br>We concur: Ramirez, P.J., Ward, J.   |                |
| <br>           |   |                |
| <b>E032279</b> | <b>People v. Ramon Perez Peraita</b>  | <b>Opinion</b> |
|                | Judgment affirmed with directions.<br>Ramirez, P.J.<br>We concur: Richli, J., Gaut, J.  |                |

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 10, 2003**

- E034097      Glenn D. v. Superior Court; Department of  
Children's Services** **Opinion**  
Petition denied.  
Gaut, J.  
We concur: McKinster, Acting P.J., Richli, J.
- E034125      Colleen C. v. Superior Court; Department of  
Children's Services** **Opinion**  
Petition denied.  
McKinster, Acting P.J.  
We concur: Hollenhorst, J., Gaut, J.
- E032766      People v. David Charles Romine** **Opinion**  
Judgment affirmed.  
McKinster, J.  
We concur: Hollenhorst, Acting P.J., Gaut, J.
- E031634      In re the Marriage of Randy E. and Michelle R. Buchmiller;  
Randy E. Buchmiller v. Michelle R. Buchmiller**  
Petition for rehearing denied; no change in judgment. **Modification of Opinion**  
Richli, J.  
We concur: McKinster, Acting P.J., King, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 13, 2003**

Holiday.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 14, 2003**

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|----------------|--|----------------|
| <b>E031403</b> | <b>People v. Kevin Campbell</b>                                  | <b>Opinion</b> |
|                | Judgment affirmed.   |                |
|                | Gaut, J.   |                |
|                | We concur: Ramirez, P.J., Richli, J.                             |                |
| <br>           |  |                |
| <b>E032176</b> | <b>City of Corona v. State of Calif. Dept. of Transportation</b> | <b>Opinion</b> |
|                | Judgment affirmed.   |                |
|                | Ward, J.   |                |
|                | We concur: McKinster, Acting P.J., Richli, J.                    |                |
| <br>           |  |                |
| <b>E032843</b> | <b>OSCA Development Company v. Ronald W. Blehm et al.</b>        | <b>Opinion</b> |
|                | Judgment reversed.   |                |
|                | Gaut, J.   |                |
|                | We concur: Ramirez, P.J., Hollenhorst, J.                        |                |
| <br>           |  |                |
| <b>E033058</b> | <b>People v. Aasim Nia</b>                                       | <b>Opinion</b> |
|                | Judgment affirmed.   |                |
|                | Gaut, J.   |                |
|                | We concur: McKinster, Acting P.J., Richli, J.                    |                |
| <br>           |  |                |
| <b>E032121</b> | <b>People v. Lorraine Yolanda Huerta</b>                         | <b>Opinion</b> |
|                | Judgment affirmed.   |                |
|                | Gaut, J.   |                |
|                | We concur: McKinster, Acting P.J., Richli, J.                    |                |

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 15, 2003**

- E032492      In re the Marriage of Kathleen and Dezi Balint.**  
**Kathleen Balint v. Dezi Balint** **Opinion**  
Judgment affirmed.  
Ramirez, P.J.  
We concur: Hollenhorst, J., Gaut, J.
- E030778      People v. Michelle Lynn Jennings** **Modification of Opinion**  
No change in judgment.  
McKinster, Acting P.J.  
We concur: Gaut, J., King, J.  
CERTIFIED FOR PARTIAL PUBLICATION
- E031260      Inland Primary Care Medical Group, Inc., v. Primecare International Inc.,**  
**Primecare Medical Network, Inc., Phycor Inc. et al.** **Opinion**  
Judgment affirmed in part, reverse in part and remanded for new trial.  
Gaut, J.  
We concur: Ramirez, P.J., Hollenhorst, J.
- E030830      People v. Johnny Joe Haro et al.** **Opinion**  
Judgment affirmed with directions.  
Ramirez, P.J.  
I concur: Hollenhorst, J.  
I dissent: Gaut, J.
- E031229      Charlinda Dunn et al v. Silver Lakes Association** **Opinion**  
Judgment affirmed with directions.  
Gaut, J.  
We concur: McKinster, Acting P.J., Richli, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 16, 2003**

No Minutes for October 16, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 17, 2003**

No Minutes for October 17, 2003.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 20, 2003**

**E032245      People v. Russell James McAllister**

**Opinion**

Judgment affirmed.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**E031197      People v. Edward S. Tolbert**

**Opinion**

Judgment affirmed as modified.

McKinster, J.

We concur: Hollenhorst, Acting P.J., Ward, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 21, 2003**

- E032330      Beal Bank, S.S.B. v. Lot 9 Industrial, LTD et al.      Opinion**  
Judgment affirmed.  
Hollenhorst, J.  
We concur: Ramirez, P.J., Ward, J.
- E033400      In re Christopher B., a Person Coming Under the Juvenile Court Law.  
Department of Children's Services v. R.B.      Opinion**  
Judgment affirmed.  
Ward, J.  
We concur: Hollenhorst, Acting P.J., King, J.
- E031344      People v. George Flores et al.      Opinion**  
Judgment reversed.  
Richli, J.  
We concur: Hollenhorst, Acting P.J., Ward, J.
- E032894      People v. Billy Ray Cyiark      Opinion**  
Judgment affirmed.  
Ward, J.  
We concur: Hollenhorst, Acting P.J., King, J.
- E032364      Carl Brandstetter v. Holiday Retreats, Inc. et al.      Opinion**  
Judgment affirmed.  
Ward, J.  
We concur: Ramirez, P.J., Hollenhorst, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 22, 2003**

- E032878      In re the Marriage of Pat and Garland Petty  
Pat Petty v. Garland E. Petty      Opinion**  
Reversed and remanded with directions  
Hollenhorst, J.  
We concur: Ramirez, P.J., Gaut, J.
- E033012      In re Ryan L., a Person Coming Under the Juvenile Court Law  
People v. Ryan L.      Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., McKinster, J.
- E031058      People v. Harold W. Richardson      Opinion**  
Judgment affirmed.  
Hollenhorst, J.  
We concur: Ramirez, P.J., Gaut, J.
- E033067      People v. Clyde Davis      Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., McKinster, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 23, 2003**

**E033886      In re Tyler M. et al., Persons Coming Under the Juvenile Court Law  
Department of Children's Services v. Tracy F. et al.      Opinion**

Judgment affirmed.

Ward, J.

We concur: Ramirez, P.J., Gaut, J.

**E033765      Timothy Harrison v. State of California et al.      Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Richli, J.

**E032485      Indian Springs Mobilehome Park HOA et al. v City of Palm Desert et al.;  
Indian Springs, LTD. et al.,      Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., Hollenhorst, J.

**E033638      In re J.B. et al., Persons Coming Under the Juvenile Court Law  
Department of Public Social Services v. L.B.      Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Richli, J.

**E032360      People v. Francisco Padilla      Opinion**

Judgment affirmed.

Gaut, J.

We concur: McKinster, Acting P.J., Richli, J.

- E034080      Judy N. v. The Superior Court of the County of Riverside;  
Department of Public Social Services.** **Opinion**  
Petition denied.  
Hollenhorst, Acting P.J.  
We concur: McKinster, J., Richli, J.
- E033749      In re K.S., a Person Coming Under the Juvenile Court Law  
Department of Public Social Services v. D.S.** **Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., McKinster, J.
- E030832      People v. Randy Matthew Cordero**  
Petition for rehearing denied.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 24, 2003**

- E031658      People v. Felix Estuardo Maquiz      Opinion**  
Judgment affirmed in part, reverse in part, and remanded with directions  
Richli, J.  
I concur: Ramirez, P.J.,  
I dissent: Gaut, J.
- E032525\*      Hossain Sahlolbei v. Providence Healthcare, Inc. et al.      Opinion**  
Judgment reversed.  
Richli, J.  
We concur: McKinster, Acting P.J., Ward, J.  
\*CERTIFIED FOR PUBLICATION
- E032612      People v. Emiliano Ponce      Opinion**  
Judgment affirmed.  
Richli, J.  
We concur: Ramirez, P.J., McKinster, J.



**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 27, 2003**

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|---|-----------------------|
| <p><b>E032959      People v. Emanuel Westley Abbott</b><br/>Judgment affirmed in part, reversed in part with directions.<br/>Gaut, J.<br/>We concur: McKinster, Acting P.J., Richli, J.</p> | <p><b>Opinion</b></p> |
| <br>  |                       |
| <p><b>E032037*      People v. John Anthony Morales</b><br/>Judgment affirmed.<br/>Richli, J.<br/>We concur: Hollenhorst, Acting P.J., Ward, J.<br/>*CERTIFIED FOR PARTIAL PUBLICATION</p>   | <p><b>Opinion</b></p> |
| <br>  |                       |
| <p><b>E032383      People v. Larry Dale Parker</b><br/>Judgment affirmed.<br/>Gaut, J.<br/>We concur: McKinster, Acting P.J., Richli, J.</p>  | <p><b>Opinion</b></p> |

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 28, 2003**

- E031955      People v. Lauren Artiga Cervantes et al.      Opinion**  
Judgment affirmed as modified with directions as to both defendants.  
McKinster, J.  
We concur: Ramirez, P.J., Richli, J.
- E032898      People v. Rafael Soto Castro      Opinion**  
Judgment affirmed.  
McKinster, J.  
We concur: Ramirez, P.J., Richli, J.
- E032702      People v. Jesus Cantu      Opinion**  
Judgment affirmed and remanded.  
McKinster, J.  
We concur: Ramirez, P.J., Richli, J.
- E032242      People v. Edward John Ingram      Opinion**  
Judgment affirmed in part, reversed in part, and remanded for resentencing.  
McKinster, J.  
We concur: Ramirez, P.J., Richli, J.
- E034234      Christina M. v. Superior Court; Department of Public Social Services      Opinion**  
Petition Denied.  
McKinster, J.  
We concur: Hollenhorst, Acting P.J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 29, 2003**

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|----------------|--|----------------|
| <b>E032388</b> | <b>People v. Jesus Cedenó Curiel</b>   | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., McKinstler, J.                 |                |
| <b>E033398</b> | <b>People v. Matthew Earl Palmer</b>   | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., McKinstler, J.                 |                |
| <b>E032438</b> | <b>People v. David Lopez Ibarra</b>  | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., Gaut, J.                       |                |
| <b>E033051</b> | <b>People v. Christopher Harrison Garcia</b>   | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., McKinstler, J.                 |                |
| <b>E032996</b> | <b>In re Marcus W., a Person Coming Under the Juvenile Court Law<br/>People v. Marcus W.</b> | <b>Opinion</b> |
|                | Judgment affirmed.<br>Richli, J.<br>We concur: Ramirez, P.J., McKinstler, J.                 |                |

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 30, 2003**

**E034262      Tyeisha E. v. The Superior Court of the County of San Bernardino;  
Department of Children's Services.      Opinion**

Petition denied.

McKinster, Acting P.J.

We concur: Hollenhorst, J., Richli, J.

**E032942      In re Jonathan U., a Person Coming Under the Juvenile Court Law.  
People v. Jonathan U.      Opinion**

Judgment affirmed.

Richli, J.

We concur: Ramirez, P.J., McKinster, J.

**E033208      Wal-Mart Stores, Inc. et al. v. Worker's Compensation Appeals Board;  
Velta Elaine Garcia      Opinion**

Order annulled.

Richli, J., Acting P.J.

We concur: Hollenhorst, J., Ward, J.

**E031934      James F. Hilger v. Lerner, Moore, Mammano, Strasser & Silva et al.  
Judgment affirmed with directions.      Opinion**

King, J.

We concur: McKinster, Acting P.J., Richli, J.

**Court of Appeal  
Fourth District, Division 2  
Riverside, California**

**Minutes  
October 31, 2003**

**E033956      People v. Albert Howard, III**

**E034545      People v. Leo Sweeney et al.,**

Appeals E033956 and E034545 are consolidated for all purposes. E033956 is designated the master file.

**E032562      People v. Edward Charles Samuel et al.**

**Modification of Opinion**

**E033975      In re Edward Charles Samuel on Habeas Corpus.**

No change in judgment.

Petition for rehearing denied.

Ramirez, P.J.

We concur: McKinster, J., Richli, J.